

GAO 1616.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: David A. Mark et al.

ATTY DOCKET NO.: P97,1036

SERIAL NO: 09/025,363

GROUP ART UNIT: 1616

FILED: February 18, 1998

EXAMINER: S. Sharareh

INVENTION: "CALORICALLY DENSE NUTRITIONAL COMPOSITION"

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R:

Submitted herewith is an Supplemental Information Disclosure Statement for consideration in the above-identified application. This Supplemental Information Disclosure Statement is submitted:

- [X] Within three months (1) of filing date of a national application; (2) of date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; or (3) before the mailing date of a first Office Action on the merits, whichever occurs last. (No fee is required.)
- [] After the mailing date of a first Office Action but before (1) mailing of a final action under 37 C.F.R. §1.113; or (2) mailing of a notice of allowance under §1.311, whichever occurs first.
- [] Payment of the fee set forth in 37 C.F.R. §1.17(p) accompanies this submission; or
- [] The certification specified in 37 C.F.R. §1.97(e) is made below. (No fee is required.)
- [] After the mailing of (1) a final action under 37 C.F.R. §1.113; or (2) notice of allowance under 37 C.F.R. §1.311 whichever occurs first, but before payment of the issue fee. The certification specified in 37 C.F.R. §1.97(e) is made below. The Commissioner hereby is petitioned to consider the Information Disclosure Statement accompanying this submission. Payment for the Petition fee set forth in 37 C.F.R. §1.17(i)(1) accompanies this submission.
- [X] The undersigned counsel for applicant(s) hereby certifies each item of information identified in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- [] The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the statement.
- [] A check in the amount of \$_____ to cover any required fee is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 08-2290. *A duplicate copy of this sheet is enclosed for this purpose.*

Very respectfully,

HILL & SIMPSON
A Professional Corporation

(Reg. No. 30,142)

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When phoning re this application,
please call (312) 876-0200.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 August 16, 1999.

ROBERT M. BARRETT

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

APPLICANT: David A. Mark et al. P E ATTY DOCKET NO.: P97,1036
SERIAL NO: 09/025,363 GROUP ART UNIT: 1616
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INVENTION: "CALORICALLY DENSE NUTRITIONAL COMPOSITION"

Assistant Commissioner for Patents

Washington, D.C. 20231

SIR:

In accordance with the provisions of 37 C.F.R. § 1.56, Applicants request that citation and examination of the references identified on the attached PTO-1449 form, copies of which are enclosed herewith in accordance with 37 C.F.R. 1.98, be made during the course of examination of the above-mentioned application for United States Patent.

U.S. PATENTS

<u>Patent Number</u>	<u>Inventor</u>	<u>Date</u>
4,112,123	Roberts	09/05/78
5,221,668	Henningfield et al.	06/22/93
5,340,603	Neylan et al.	08/23/94
5,549,905	Mark et al.	08/27/96

FOREIGN PATENTS

<u>Document Number</u>	<u>Country</u>	<u>Date</u>
0 721 742	Europe	07/17/96
WO 97/16079	PCT	05/09/97

REMARKS

The above references were cited in an International Search Report for a corresponding PCT application. A copy of the International Search Report is attached.

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,



(Reg. No. 30,142)

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ATTORNEY FOR APPLICANTS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service, First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on August 16, 1999.

